by adding thereto a new section 18-24-B which shall read as follows, to wit: Section 18-24-B. Noise Vehicular Section 18-24-B-1. Scope This subsection shall apply to the control of all noise caused by light motor vehicles and originating within the limits of the City of Fort Wayne, Indiana. Section 18-24-B-2. Definitions For the purposes of this subsection, the following definitions apply: A-WEIGHTED SOUND LEVEL: The sound pressure level in decibels as measured on a sound level meter using the A-Weighting network. The level so read is designated db (A) or dBA. DECIBEL (db): A unit for measuring the volume of a b. sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter). LIGHT-MOTOR VEHICLES: Any automobile, van, motorcycle, c. motor driven cycle, motorscooter, dune buggy, snowmobile, all terraine vehicles, go carts, minibikes, trail bikes, and trucks with gross vehicular weight of less than 8,000 pounds. MODIFIED AND DEFECTIVE EXHAUST SYSTEMS: An exhaust d. system in which the original noise abatement devices have been physically altered causing them to be less effective in reducing noise as their original devices, or devices have been added to the original noise abatement devices such that noise levels are increased. NOISE LEVEL: The A-Weighted sound level produced by a . e. motor vehicles.

BILL NO. G-80-07-19 AS AMENDED (as amended)

AN ORDINANCE amending Section 18-24

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,

Section 1. That Chapter 18 of the Code of the City of

Fort Wayne, Indiana of 1974 is hereby amended -

GENERAL ORDINANCE NO. G-80 13-80

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INDIANA:

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 FERSON: Any individual, association, partnership or corporation which includes any officer, employee, department, agency or instrumentality.

- g. SOUND LEVEL METER: An instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter, and weighting networks used to measure sound pressure levels. Such instrument shall be used for measurement of the intensity of sound and calibrated in decibels as standardized by the American National Standards Institute (ANSI). Readings shall be made on a db (A) scale.
- h. TRAFFIC NOISE: Sound made by a motor vehicle operated either on the public right-of-way or private property.

All definitions and terminology used in this code not defined above, shall be defined in conformance with, and applicable publication of the American National Standards Institute (ANSI), or its successor body.

Section 18-24-B-3. Noise Limit

It shall be unlawful for any person to cause noise levels from the operation or use of lightmotor vehicles in excess of 83 dB (A) in any area within the corporate limits of the City of Fort Wayne, Indiana, at any time. Such noise level limit shall be measured on a distance of not less than fifteen (15) feet from the noise source.

Section 18-24-B-4. Excessive Noise

It shall be unlawful for any person to operate, cause to operate or use a light motor vehicle such as to cause excessive noise levels as a result of a defective or modified exhaust system, or as a result of unnecessary rapid acceleration, deceleration, revving or tire squeal, or as the result of the operation of audio devices such as but not limited to radios, phongraphs, and tape players on or from such vehicle.

Section 18-24-B-5. Exemptions

The following are exempted from the provisions of this section:

- a. Sound emitted from sirens of authorized emergency vehicles;
- b. Lawnmowers, garden tractors, and similar home power tools when properly muffled. $\,$
- c. Burglar alarms on light motor vehicles of the electronic signaling type which transmit an audible signal to a receiver which can be carried by the

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owner or operator of the vehicle;

d. Celebrations on Halloween and legal holidays and celebrations in connection with duly authorized parades.

Section 18-24-B-6. Prosecution

- a. In any criminal prosecution for a violation of this Section, the Court may admit evidence of a noise level as tested by a sound level meter which meets or exceeds the American National Standards Institute (AMSI) specifications for type II equipment. A person shall be found guilty of violation of this Section for the emission of the excessive noise from or on any motor vehicle source in excess of the limitations established herein.
- b. It shall be unlawful for any person to violate the provisions of this Ordinance. Whenever any police officer makes an arrest for violation of this ordinance he shall take down the name, address, operator's license number and registration number of the vehicle if readily available and shall issue to the alleged violator in writing on the form provided by the City Clerk. a citation for a violation of this ordinance

Upon conviction of violation of this ordinance the violator shall be punished by a fine not less than Fifty (\$50.00) Dollars nor more than Two Hundred-Fifty (\$250.00) Dollars.

Section 18-24-7.6 Payment of Fines

All fines and penalties shall be payable to the Violations Bureau located in the Office of the City Clerk of Fort Wayne, Indiana.

Section 18-24-8. Severability

If any provision of this ordinance is held to be unconstitutional or otherwise invalidated by a court of competent jurisdiction, the remaining portions of the ordinance shall not be invalidated.

Section 3. This ordinance shall be in full force and effect thirty days from and after its passage, approval by the Mayor and legal publication thereof.

Councilman

Approved as to form and legality

Logan,

GENERAL ORDINANCE NO. G-80

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AN ORDINANCE amending Section 18-24.

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BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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 $\underline{\text{Section 1}}$. That Chapter 18 of the Code of the City of Fort Wayne, Indiana of 1974 is hereby amended by repealing paragraphs 2 and 6 and sub-

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sections a,b, and c, and by adding thereto a new section 18-24-B which shall be recorded as follows, to wit:

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Section 18-24-B. Noise Vehicular

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Section 18-24-B-1. Scope

11 This subsection shall

This subsection shall apply to the control of all noise caused by light motor vehicles and originating within the limits of the City of Fort Wayne, Indiana.

13 Section

Section 18-24-B-2. Definitions

For the purposes of this subsection, the following definitions apply:

15 16 a. A-WEIGHTED SOUND LEVEL: The sound pressure level in decibels as measured on a sound level meter using the A-Weighting network. The level so read is designated db (A) or dBA.

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b. <u>DECIBEL</u> (db): A unit for measuring the volume of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micropewtons per square meter).

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c. <u>LIGHT MOTOR VEHICLES</u>: Any automobile, van, motorcycle, motor driven cycle, motorscooter, dune buggy, snowmobile, all terraine vehicles, go carts, minibikes, trail bikes, and trucks with gross vehicular weight of less than 8,000 pounds.

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d. MODIFIED AND DEFECTIVE EXHAUST SYSTEMS: An exhaust system in which the original noise abatement devices have been physically altered causing them to be less effective in reducing noise, or the original noise abatement devices which are not as effective in reducing noise as their original devices, or devices have been added to the original noise abatement devices such that noise levels are increased.

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e. NOISE LEVEL: The A-Weighted sound level produced by a motor vehicle.

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 PERSON: Any individual, association, partnership or corporation which includes any officer, employee, department, agency or instrumentality.

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g. SOUND LEVEL METER: An instrument which includes a micropboae, amplifier, RMS detector, integrator or time averager, output meter, and weighting networks used to measure sound pressure levels. Such instrument shall be used for measurement of the intensity of sound and calibrated in decibels as standardized by the American National Standards Institure (ANSI). Readings shall be made on a db (A) scale.

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 h. TRAFFIC NOISE: Sound made by a motor vehicle operated either on the public right-of-way or private property. All definitions and terminology used in this code not defined above, shall be defined in conformance with, and applicable publication of the American National Standards Institute (ANSI), or its successor body.

Section 18-24-B-3. Noise Limit

It shall be unlawful for any person to cause noise levels from the operation or use of lightmotor vehicles in excess of 80 dB (A) in any area within the corporate limits of the City of Fort Wayne, Indiana, at any time. Such noise level limit shall be measured on a distance of not less than fifteen (15) feet from the noise source.

Section 18-24-B-4. Excessive Noise

It shall be unlawful for any person to operate, cause to operate or use a light motor vehicle such as to cause excessive noise levels as a result of a defective or modified exhaust system, or as a result of unnecessary rapid acceleration, deceleration, revving or tire squeal, or as the result of the operation of audio devices such as but not limited to radios, phonographs, and tape players on or from such vehicle.

Section 18-24-B-5. Exemptions

The following are exempted from the provisions of this section:

- Sound emitted from sirens of authorized emergency vehicles;
- b. Lawnmowers, garden tractors, and similar home power tools when properly muffled, for up to two (2) hours per day between the hours of 8 A.M. and 8 P.M.
- c. Burglar alarms on light motor vehicles of the electronic signaling type which transmit a non-audible signal to a receiver which can be carried by the owner or operator of the vehicle; and
- d. Celebrations on Halloween and legal holidays and celebrations in connection with duly authorized parades.

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Section 18-24-B-6. Prosecution

- a. In any criminal prosecution for a violation of this Section, the Court may admit evidence of a noise level as tested by any sound level meter which meets or exceeds the American National Standards Institute (ANSI) specifications for type II equipment. A person shall be found guilty of violation of this Section for the emission of the excessive noise from or on any motor vehicle source in excess of the limitations established herein.
- b. It shall be unlawful for any person to violate the provisions of this section. Any person convicted of such a violation shall be punished by a fine of not less than twenty-five (\$25.00) dollars nor more than one hundred (\$10.00) dollars.

Section 18-24-B-7. Severability

That if any provision of this ordinance is held to be unconstitutional or otherwise invalidated by a court of competent jurisdiction, the remaining portions of the ordinance shall not be invalidated.

 $\underline{\text{Section 2}}. \quad \text{That section 18-24 of the Code of the City of} \\ \\ \text{Fort Wayne, Indiana is hereby renumbered and reentitled.} \\$

Section 18-24-A. Noise General

Section 3. That the record and those unnumbered subparagraphs of Section 18-24 of the Code of the City of Fort Wayne, Indiana of 1974 are hereby repealed.

Section 4. That this ordinance shall be in full force and effect from and after its passing and approval by the Mayor.

COUNCILMAN

APPROVED AS TO FORM AND LEGALITY JULY 3, 1980.

JOHN E. HOFFMAN

City Attorney

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Read the fir seconded by by title and refer Plan Commission fo due legal notice, Indiana, on	r recommendat	ion) and	Public Hear rs, City-Cou	ing to be l nty Buildin	neld afte: ng, Fort i dav	r Wayne,
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			WINFIELD C.	MOSES, JR.		

owner or operator of the vehicle; and

d. Celebrations on Halloween and legal holidays and celebrations in connection with duly authorized parades.

Section 18-24-B-6. Prosecution

- a. In any criminal prosecution for a violation of this Section, the Court may admit evidence of a noise level as tested by an sound level meter which meets or exceeds the American National Standards Institute (AMSI) specifications for type II equipment. A person shall be found guilty of violation of this Section for the emission of the excessive noice from or on any motor vehicle source in excess of the limitations established herein.
- b. It shall be unlawful for any person to violate the provisions of this Ordinance. Whenever any police officer makes an arrest for violation of this ordinance he shall take down the name, address, operator's license number and registration number of the vehicle if readily available and shall issue to the the alleged violator in writing on the form provided by the City Clerk. (A citation that the alleged violator shall have a period of seven (7) days from the issuance of such written notice to remedy the source of the excessive noise and have such noise source as so remedied inspected at the Police Garage of the City of Fort Wayne, Indiana by a duly authorized person.) Failure to comply with said citation shall render such person guilty of a violation for which he shall be punished by a fine not less than Fifty (\$50.00) Dollars nor more than Two Hundred-Fifty (250.00) Dollars.

Section 18-24-7. Payment of Fines

All fines and penalties shall be payable to the Violations Bureau located in the Office of the City Clerk of Fort Wayne, Indiana.

Section 18-24-8. Severability

That if any provision of this ordinance is held to be unconstitutional or otherwise invalidated by a court of competent jurisdiction, the remaining portions of the ordinance shall not be invalidated.

Section 2. That section 18-24 of the Code of the City of Fort Wayne, Indiana is hereby renumbered and reentitle.

Section 18-24-A. Noise General

Section 3. That the record and those unnumbered subparagraphs of Section 18-24 of the Code of the City of Fort Wayne, Indiana of 1974 are hereby repealed.

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Section 4. That this ordinance shall be in full force and and effect from and after its passing and approval by the Mayor and legal publication thereof.

COUNCILMAN

APPROVED AS TO FORM AND LEGALITY July 22, 1980

ATTORNEY for the COMMON COUNCIL of the City of Fort Wayne.

1010 114110

BILL NO. G-80-07-19 AS AMENDED by Greented.

GENERAL ORDINANCE NO. G-80

AN ORDINANCE amending Section 18-24

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That Chapter 18 of the Code of the City of Fort Wayne, Indiana of 1974 is hereby amended by repealing paragraphs 2 and 6 subsections a, b, and c, and by adding thereto a new section 18-24-B which shall be recorded as follows, to wit:

Section 18-24-B. Noise Vehicular

Section 18-24-B-1. Scope

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This subsection shall apply to the control of all noise caused by light motor vehicles and originating within the limits of the City of Fort Wayne, Indiana.

Section 18-24-B-2. Definitions

For the purposes of this subsection, the following definitions apply:

- a. A-WEIGHTED SOUND LEVEL: The sound pressure level in decibels as measured on a sound level meter using the A-Weighting network. The level so read is designated db (A) or dBA.
- b. <u>DECIBEL</u> (db): A unit for measuring the volume of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micropewtons per square meter).
- c. <u>LIGHT-MOTOR VEHICLES</u>: Any automobile, van, motorcycle, motor driven cycle, motorscooter, dune buggy, snowmobile, all terraine vehicles, go carts, minibikes, trail bikes, and trucks with gross vehicular weight of less than 8,000 pounds.
- d. MODIFIED AND DEFECTIVE EXHAUST SYSTEMS: An exhaust system in which the original noise abatement devices have been physically altered causing them to be less effective in reducing noise as their original devices, or devices have been added to the original noise abatement devices such that noise levels are increased.
- e. NOISE LEVEL: The A-Weighted sound level produced by a motor vehicles.

- f. PERSON: Any individual, association, partnership or corporation which includes any officer, employee, department, agency or instrumentality.
 - g. SOUND LEVEL METER: An instrument which includes a microphone, amplifier, RNS detector, integrator or time averager, output meter, and weighting networks used to measure sound pressure levels. Such instrument shall be used for measurement of the intensity of sound and calibrated in decibels as standardized by the American National Standards Institute (ANSI). Readings shall be made on a db (A) scale.
- h. TRAFFIC NOISE: Sound made by a motor vehicle operated either on the public right-of-way or private property.

All definitions and terminology used in this code not defined above, shall be defined in conformance with, and applicable publication of the American National Standards Institute (ANSI), or its successor body.

Section 18-24-B-3. Noise Limit

It shall be unlawful for any person to cause noise levels from \$3\$ the operation or use of lightmotor vehicles in excess of 80 dB (A) in any area within the corporate limits of the City of Fort Wayne, Indiana, at any time. Such noise level limit shall be measured on a distance of not less than fifteen (15) feet from the noise source.

Section 18-24-B-4. Excessive Noise

It shall be unlawful for any person to operate, cause to operate or use a light motor vehicle such as to cause excessive noise levels as a result of a defective or modified exhaust system, or as a result of unnecessary rapid acceleration, deceleration, revving or tire squeal, or as the result of the operation of audio devices such as but not limited to radios, phongraphs, and tape players on or from such vehicle.

Section 18-24-B-5. Exemptions

The following are exempted from the provisions of this section:

- Sound emitted from sirens of authorized emergency vehicles;
- b. Lawnmowers, garden tractors, and similar home power tools when properly muffled.
- c. Burglar alarms on light motor vehicles of the electronic signaling type which transmit an audible signal to a receiver which can be carried by the

 owner or operator of the vehicle; and

d. Celebrations on Halloween and legal holidays and celebrations in connection with duly authorized parades.

Section 18-24-B-6. Prosecution

- a. In any criminal prosecution for a violation of this Section, the Court may admit evidence of a noise level as tested by an sound level meter which meets or exceeds the American National Standards Institute (AMSI) specifications for type II equipment. A person shall be found guilty of violation of this Section for the emission of the excessive noice from or on any motor vehicle source in excess of the limitations established herein.
- b. It shall be unlawful for any person to violate the provisions of this Ordinance. Whenever any police officer makes an arrest for violation of this ordinance he shall take down the name, address, operator's license number and registration number of the vehicle if readily available and shall issue to the the alleged violator in writing on the form provided by the City Clerk, citation that the alleged violator shall have a period of seven (7) days from the issuance of such Whitten notice to remedy the source of the excessive noise and have such noise source as so remedied inspected at the Police Garage of the City of Fort Wayne, Indiana by a duly authorized person. Failure to comply with said citation shall render such person guilty of a for a violation, for which he shall be punished by a fine not less than Fifty (\$50.00) Dollars nor more than Two Hundred-Fifty (250.00) Dollars.

Section 18-24-7. Payment of Fines

All fines and penalties shall be payable to the Violations
Bureau located in the Office of the City Clerk of Fort Wayne,
Indiana.

Section 18-24-8. Severability

That if any provision of this ordinance is held to be unconstitutional or otherwise invalidated by a court of competent jurisdiction, the remaining portions of the ordinance shall not be invalidated.

Section 2. That section 18-24 of the Code of the City of

Section 1/8-24-A. Noise General

Section 3. That the record and those unnumbered subparagraphs of Section 18-74 of the Code of the City of Fort Wayne, Indiana of 1974 are hereby repealed.

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 Section Is this ordinance shall be in full force and and effect, from and after its passing and approval by the Mayor and legal publication thereof.

COUNCILMAN

APPROVED AS TO FORM AND LEGALITY July 22, 1980

ATTORNEY for the COMMON COUNCIL of the City of Fort Wayne.

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CHARLES W. WESTERMAN, CITY CLERK

P Notice is hereby, given that on the-2nd day of July, 1980, the Common Council of the City of Fort Weyes, in-the College of the Council of the the College of the Council of the amended 1, as a mended 1, as

13-80 AN ORDINANCE amending Sec-

13-80 (DOUNNECE amedics Section 13-20). In 19-10 (19-10) (19-1 ٥

level so read is designated do (A)-or. dBA.
b. DECIBEL (db): A unit for measuring the volume of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 30 micropascals. (20 micronewions per square meler).

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Section 18-24-B-4. Excessive Noise Is shall be lawful for any person to operate. G00S* To operate or use a light motor vehicle such as to cause excessive noise levels as a result of a defective or modified exhaust system, or as a result of unnecessary-rapid acceleration, deceleration. rapid acceleration, deceleration, rev-ving or life squeal, or as the result of the operation of audio devices such as but not limited to radios, phono-graphs, and taps players or from such vehicle. Section is 2-8-8-5. Exemptions The following are exempted from the second of the second of the a Sound emitted from sirens of au-

niese Orderance

BILL NO. G-80-07-19 AS AMENDED (AS Emended)
GENERAL ORDINANCE NO. G-88 13-80

AN ORDINANCE amending Section 18-24

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That Chapter 18 of the Code of the City of Fort Wayne, Indiana of 1974 is hereby amended to Indiana of 1974 is hereby amended to Indiana of 1974 is hereby amended to Indiana by adding thereto a new section 18-24-B which shall read as follows, to with the United States of the Code of the City of the Indiana of 1974 is hereby amended the India

Section 18-24-B. Noise Vehicular

Section 18-24-B-1. Scope

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This subsection shall apply to the control of all noise caused by light motor vehicles and originating within the limits of the City of Fort Wayne, Indiana.

Section 18-24-B-2. Definitions

For the purposes of this subsection, the following definitions apply:

- a. A-WEIGHTED SOUND LEVEL: The sound pressure level in decibels as measured on a sound level meter using the A-Weighting network. The level so read is designated db (A) or dBA.
- b. <u>DECIBEL</u> (db): A unit for measuring the volume of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).
- c. LIGHT-MOTOR VEHICLES: Any automobile, van, motorcycle, motor driven cycle, motorscooter, dune buggy, snow-mobile, all terraine vehicles, go carts, minibikes, trail bikes, and trucks with gross vehicular weight of less than 8,000 pounds.
- d. MODIFIED AND DEFECTIVE EXHAUST SYSTEMS: An exhaust system in which the original noise abatement devices have been physically altered causing them to be less effective in reducing noise as their original devices, or devices have been added to the original noise abatement devices such that noise levels are increased.
- e. NOISE LEVEL: The A-Weighted sound level produced by a motor vehicles.

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- g. SOUND LEVEL METER: An instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter, and weighting networks used to measure sound pressure levels. Such instrument shall be used for measurement of the intensity of sound and calibrated in decibels as standardized by the American National Standards Institute (ANSI). Readings shall be made on a db (A) scale.
- h. TRAFFIC NOISE: Sound made by a motor vehicle operated either on the public right-of-way or private property.

All definitions and terminology used in this code not defined above, shall be defined in conformance with, and applicable publication of the American National Standards Institute (ANSI), or its successor body.

Section 18-24-B-3. Noise Limit

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It shall be unlawful for any person to cause noise levels from 1.22 the operation or use of lightmotor vehicles in excess of 83 dB (A) in any area within the corporate limits of the City of Fort Wayne, Indiana, at any time. Such noise level limit shall be measured on a distance of not less than fifteen (15) feet from the noise source.

Section 18-24-B-4. Excessive Noise

It shall be unlawful for any person to operate, cause to operate or use a light motor vehicle such as to cause excessive noise levels as a result of a defective or modified exhaust system, or as a result of unnecessary rapid acceleration, deceleration, revving or tire squeal, or as the result of the operation of audio devices such as but not limited to radios, phongraphs, and tape players on or from such vehicle.

Section 18-24-B-5. Exemptions

The following are exempted from the provisions of this section:

- a. Sound emitted from sirens of authorized emergency vehicles;
- b. Lawnmowers, garden tractors, and similar home power tools when properly muffled.
- c. Burglar alarms on light motor vehicles of the electronic signaling type which transmit an audible signal to a receiver which can be carried by the

owner or operator of the vehicle; and

d. Celebrations on Halloween and legal holidays and celebrations in connection with duly authorized parades.

Section 18-24-B-6. Prosecution

- a. In any criminal prosecution for a violation of this Section, the Court may admit evidence of a noise level as tested by a sound level meter which meets or exceeds the American National Standards Institute (AMSI) specifications for type II equipment. A person shall be found guilty of violation of this Section for the emission of the excessive noise from or on any motor vehicle source in excess of the limitations established herein.
- b. It shall be unlawful for any person to violate the provisions of this Ordinance, whenever any police officer makes an arrest for wolation of this ordinance he shall take down the name, 'address, operator's license number and registration number of the vehicle if readily available and shall issue to the alleged violator in writing on the form provided by the City Clerk, a citation for a violation of this ordinance.

Upon conviction of violation of this ordinance the violator shall be punished by a fine not less than Fifty (\$50.00) Dollars nor more than Two Hundred-Fifty (\$250.00) Dollars.

Section 18-24-7.4 Payment of Fines

All fines and penalties shall be payable to the Violations Bureau located in the Office of the City Clerk of Fort Wayne; Indiana.

Section 18-24-8. Severability

If any provision of this ordinance is held to be unconstitutional or otherwise invalidated by a court of properties ordinance shall not be invalidated.

Section 3. This ordinance shall be in full force and effect thirty days from and after its passage, approval by the Mayor and legal publication thereof.

Councilman

Approved	as	to	form	and	legali	ty
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DIGEST SHEET

Amend City Code Section 18-24

(as amended) J-80-07-19

TITLE OF ORDINANCE: Middle orty dode; section to 24 house
DEPARTMENT REQUESTING ORDINANCE: Mayor's Office
SYNOPSIS OF ORDINANCE: The attached proposed ordinance amends Section 18-24
Noise by repealing paragraphs 2 and 6 and subsection a,b, and c, and adds
a new Section 18-24-B which specifically addresses light motor vehicle
noise. This ordinance specifically defines the level of noise which will
be allowed, the means by which such noise levels will be monitored, and
the enforcement procedures.
EFFECT OF PASSAGE: Adoption of the ordinance (along with the acquisition of
the appropriate noise monitoring equipment) will provide an effective means
for light motor vehicle noise to be monitored and controlled.
EFFECT OF NON-PASSAGE: A continuation of the existing situation whereby monitoring
and control of light motor vehicle noise is virtually unenforceable.
×
MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): None
ASSIGNED TO COMMITTEE: Regulations
V



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING . ONE MAIN STREET . FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -:- room 122

July 31, 1980

Ms. Virginia Grace Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of August 4 and August 11, 1980, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Bill No. G-80-07-19 (as amended) (as amended) General Ordinance No. G-13-80

Please send us(5) five copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely.

Charles W. Westeman

City Clerk

CWW/ne ENCL: 1 Regarding Bill No. G-80-07-19 (AS AMENDED) (AS AMENDED) GENERAL ORDINANCE NO. G-13-80

Misprint--Section 18-24-B-4 Excessive Noise

Typed in the paper: It shall be lawful

Should read: It shall be unlawful

See attached ordinance as submitted to the paper. See page 2 Thank you. $\begin{tabular}{ll} \begin{tabular}{ll} \begin{tabul$

This ordinance has to be published in the paper twice corrected.

LEGAL NOTICE

Notice is hereby given that on the 22nd day of July ,1980, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-80-07-19 (as amended) (as amended) - General Ordinance No. G-13-80

BILL NO. G-80-07-19 AS AMENDED (as amended)
GENERAL ORDINANCE NO. G-88 /3-80

AN ORDINANCE amending Section 18-24

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That Chapter 18 of the Code of the City of Fort Wayne, Indiana of 1974 is hereby amended by adding thereto a new section 18-24-B which shall read as follows, to wit:

Section 18-24-B. Noise Vehicular

Section 18-24-B-1. Scope

This subsection shall apply to the control of all noise caused by light motor vehicles and originating within the limits of the City of Fort Wayne, Indiana.

Section 18-24-B-2. Definitions

For the purposes of this subsection, the following definitions apply:

- a. A-WEIGHTED SOUND LEVEL: The sound pressure level in decibels as measured on a sound level meter using the A-Weighting network. The level so read is designated db (A) or dBA.
- b. <u>DECIBEL</u> (db): A unit for measuring the volume of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micropewtons per square meter).
- c. LIGHT-MOTOR VEHICLES: Any automobile, van, motorcycle, motor driven cycle, motorscooter, dune buggy, snowmobile, all terraine vehicles, gô carts, minibikes, trail bikes, and trucks with gross vehicular weight of less than 8,000 pounds.
- d. MODIFIED AND DEFECTIVE EXHAUST SYSTEMS: An exhaust system in which the original noise abatement devices have been physically altered causing them to be less effective in reducing noise as their original devices, or devices have been added to the original noise abatement devices such that noise levels are increased.
- e. NOISE LEVEL: The A-Weighted sound level produced by a motor vehicles.

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Councilman

Read the third time in full and on motion by Eisbart, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Aves: Nine

Burns; Eisbart, GiaQuinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Stier, Talarico

Nays: None

Date: 7-22-80

Charles W. Westerman City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-13-80 on the 22nd day of July, 1980.

ATTEST:

(SEAL)

Charles W. Westeman City Clerk Vivian G. Schmidt Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of July, 1980, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman City Clerk

Approved and signed by me this 29th day of July, 1980, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses, Jr. Councilman

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify
that the above and foregoing is a full, true and complete copy ofGeneral
Ordinance No. $G-13-80$ passed by the Common Council on the $22nd$ day of
July , 19 80, and that said Ordinance was duly signed and approved
by the Mayor on the 29th day of July , 19 80 and now remains on
file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th
day of July , 19 80

SEAL

harles W. Westerman

CITY CLERK

		7		
Form Prescribed by State Board of Accounts			General Form	n No. 99 P (Rev. 196
Fort Wayne Common C	ouncil	То	JOURNAL-GAZETT	TE T
(Governmental Unit)		1		
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Notice is hereby given that on the 22nd day of July, 1980, the Common Council of the City of Fort Wayne, in-diana, in a Regular Session did pass diana, in a Regular Session did pass tha tollowing Bill No. G-80-07-19 (as amanded) (as amended) - General Ordinance No. G-13-80. BILL NO. G-80-07119 AS AMENDED (as G-80-07119 AS GENERAL ORDINANCE NO. G-13-80 AN ORDINANCE amending Sec-13-89 ORDINANCE amending Section 18-28
BE IT ORDAINED BY THE COMBE IT ORDAINED BY THE COMSECTION 18-28 II How within the limits of the City of Fort Wayne, indians. Section 18:24-8:2. Definitions. Section 18:24-8:2. Definitions. For the purposes of this subsection, the following definitions apply: tion, the following definition apply: tion following defin b. DECIBEL (db): A unit for mea-suring the volume of a sound, equal to 20 times the logarithm to the base to 20 times the logarithm to the base to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound massured to the reterence pressure, which is 20 micropascals mond mustined me preserve of the preserve of the preserve with 1.8 of microposal of the preserve of the preser motor vehicles.

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PASSED by the following vote: Ayes: Nine: Burns, Elsbart, Gla- Quinta, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Siler, Tala- rico.		CLERK		of the
rico. Nays: None.		GAZETTE		
Nays: None. Date: 7-23-80 Charles W. Westerman City Clerk Passed and adopted by the Com- mon Council of the City of Fort Wayne, Indiana, as General Ordin- ance No. G-13-80 on the 2nd dey of HERE	2DAIL	Y nev	wspaper of general circulation	on printed and published
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Wayne, Indiana, as General Ordi Jr nance No. G-13-80 on the 22nd day of HERE July, 1980.		aforesaid, and that the prin		
ATTEST: (SEAL) Charles W. Westerman	which was duly published	in said paper for two 1	times the de	reto is a true copy,
City Clerk Vivian G. Schmidt Presiding Officer	as follows:		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	aces of publication octing
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on	8/11	- 8/18/80		
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Approved and signed by me this		2042	willa De	- Mald
2:00 o'clock P.M., E.S.T. Win Moses, Jr.	Subscribed and sworn to I	perfore me this 18th	Aybr August	19 80
1, Charles W. Westerman, Clerk of			Harry	0
Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the ebove and foregoing is a full, true and complete copy of General Ordinance No. G-13-	My commission expires	September 28,	1983 Notary Public	. mes
copy of General Ordinance No. G-13- 80 passed by the Common Council on	way commission expires			
seld Ordinance was duly signed and approved by the Mayor on the 29th				100,710,911
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day of July, 1990 and now ramains on file and on record in my office. WITNESS my hand, and of the offi- cial seal of the City of Fort Weyne, Indiana, this 29th day of July, 1990. CHARLES W. WESTERMAN CITY CLERK				
CHARLES W. WESTERMAN CITY CLERK				
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Covernmental Unit) Allen County, Ind PUBLISHER'S CLAIM LINE COUNT Display Marter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines. Head number of lines Body number of lines Tail number of lines 232 COMPUTION OF CHARGES 234 lines, 1 columns wide equals, 234 equivalent lines at .2536 s. 59.20 COMPUTION OF CHARGES 234 lines, 1 columns wide equals, 234 equivalent lines at .2536 s. 59.20 Charge for certra proofs of publication (30 cens for each proof in excess of two) 3 extra 1.50 TOTAL AMOUNT OF CLAIM. DATA FOR COMPUTING COST Width of single column 9.6 pixes Size of type 6 point Number of insertions 2 Size of quad upon which type is cast 6 Pansuant to the provision and penaltics of Ch. 89, Acts 1967. Pansuant to the provision and penaltics of Ch. 89, Acts 1967. Thereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of that been paid. Line Aug. 1.819 80 Title CLERK DAILY newspaper of general circulation pointed and pain the city of FORT WAYNE, INDIANA in the English language in the city of FORT WAYNE, INDIANA in the English language in the city of FORT WAYNE, INDIANA in the English language in the city of FORT WAYNE, INDIANA in the state and county aforesaid, and that the printed matter attached hereto is a true which was duly published in said paper for two times that the direct of the date of publication solutions printed and pain the city of FORT WAYNE, INDIANA in the case of publication solutions printed and pain the city of FORT WAYNE, INDIANA in the case of publication solutions printed and pain the city of FORT WAYNE, INDIANA in the date of publication solutions printed and pain the city of FORT WAYNE, INDIANA in the date of publication solutions printed and pain the city of FORT WAYNE, INDIANA in the date of publication solutions printed and pain the city of	Form Prescribed by State Board of Accounts Fort Wayne Common C	ouncil			General Form No. 99 P(Re
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